

Remarks

The applicants have carefully considered the Office action dated February 13, 2006. By way of this Response, claims 1-7, 10-16 and 22-26 have been cancelled without prejudice to their further prosecution. In view of the following, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

The Office action identifies three patently distinct inventions, namely, the invention of claims 1-7 (Group I), the invention of claims 10-16 (Group II), and the invention of claims 22-26 (Group III). Applicant hereby elects Group II (i.e., claims 10-16) for further prosecution in this case without traverse. Accordingly, claims 1-7 and 22-26 have been cancelled without prejudice and may be pursued in a divisional application.

As discussed with the examiner telephonically, the undersigned notes that the Form PTO-892 included with the Office action of September 29, 2005, listed a number of references, but failed to list patent US 6,700,904, which the examiner had previously brought to the attention to the undersigned in an electronic mail dated April 20, 2005. The undersigned asks the examiner to please issue a supplemental Form PTO-892, or to otherwise acknowledge that US 6,700,904 has been considered in the subject application. The undersigned contends that Intel Corporation should not have to pay a fee under 1.97 for the consideration of this patent because it was the examiner who made the undersigned aware of this patent. The undersigned presumed that the examiner would list all relevant art from the electronic mail on the Form PTO-892; however, it appears that US 6,700,904 was inadvertently omitted.

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC
20 North Wacker Drive
Suite 4220
Chicago, Illinois 60606

Dated: April 13, 2006

A handwritten signature in black ink, appearing to read 'Mark C. Zimmerman', is written over a horizontal line.

Mark C. Zimmerman
Reg. No. 44,006
Attorney for Applicants
312.580.1020